

## RECORD OF PROCEEDINGS OF VACATION OF SUSPENDED NONJUDICIAL PUNISHMENT

NAME, RANK, SSN, ORGANIZATION, AND MAJOR COMMAND OF SERVICE MEMBER

ATCH(S)

### 1. Notice of Vacation Proceedings

- a. On \_\_\_\_\_ the nonjudicial punishment shown in item 9 was imposed on you under the provisions of Article 15, Uniform Code of Military Justice (UCMJ). This notice of vacation proceedings concerns the suspended portion of your nonjudicial punishment.
- b. I am considering whether to vacate some or all of the suspended nonjudicial punishment because you allegedly violated the condition(s) of your suspension as listed in item 9 (*See Note 1*).
- c. You may present matters in defense, extenuation, or mitigation regarding the alleged violation(s) on which this vacation action is based. You may make a written presentation, a personal appearance, or both. If you elect to make a personal appearance, you may (1) personally appear before me (or my designee, in some cases), (2) present evidence, (3) present witnesses who are reasonably available, and (4) be accompanied by someone to speak on your behalf. You do not have to make any oral or written statement regarding any offense(s) of which you are accused and any statement made may be used against you in a later proceeding. A military defense counsel is available to further explain these rights to you. You may contact a military defense counsel at \_\_\_\_\_, telephone number \_\_\_\_\_.
- d. You will notify me of your elections in item 3 below and submit any matters you wish considered by \_\_\_\_\_ (*Hours*), \_\_\_\_\_ (*Date*), unless I grant you an extension of time. (*See Note 2*). I will make my vacation decision only after considering the matters you present.

NAME/RANK/ORGANIZATION OF COMMANDER

SIGNATURE

DATE

### 2. Service

NAME OF PERSON SERVING MEMBER (*See Note 3*)

SIGNATURE

TIME SERVED

DATE SERVED

### 3. Member's Elections. (*Member initials one block on each line*)

- a. ☐ I have consulted a lawyer. ☐ I have not consulted a lawyer.
- b. ☐ I have attached a written presentation. ☐ I have not attached a written presentation.
- c. ☐ I request a personal appearance before you. ☐ I do not request a personal appearance before you.

NAME/RANK OF SERVICE MEMBER

SIGNATURE

TIME

DATE

### 4. Commander's Decision (*See Note 4*).

- a. I have considered the evidence, including any matters you have presented, and find that: (*Commander initials one block*)
- (1) ☐ Vacation of the suspended punishment is not appropriate or you did not violate the condition(s) of your suspension. I hereby terminate these vacation proceedings.
- (2) ☐ You violated one or more of the conditions of your suspension. I lined out and initialed the violations, if any, for which I determined vacation of the suspended punishment is not appropriate or which you did not violate. I hereby vacate the suspended punishment as listed in item 9.
- b. The vacation of the suspended nonjudicial punishment is effective immediately unless otherwise stated.

NAME/RANK/ORGANIZATION OF COMMANDER

SIGNATURE

DATE

### 5. Member's Acknowledgement. I have seen the action taken on the proceedings of vacation of suspended nonjudicial punishment and I understand that there is no right to appeal this decision.

NAME/RANK OF SERVICE MEMBER

SIGNATURE

DATE

**6. Servicing SJA Legal Review.** Record is legally sufficient and the action is final.

NAME/RANK/ORGANIZATION OF REVIEWING ATTORNEY	SIGNATURE	DATE
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**7. MPF and AFO Distribution.** Copy received by MPF on \_\_\_\_\_ and AFO on \_\_\_\_\_  
(Date/Initials) (Date/Initials)

**8. GCMCA SJA Administrative Supervisory Review.** Record is in compliance with AFI 51-202 and MCM, Part V.

NAME/RANK/ORGANIZATION OF REVIEWING ATTORNEY	SIGNATURE	DATE
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**9.** (See Note 5)

**Item 1a Cont'd:**

- Note 1:** Describe in item 9 the conditions violated by listing any punitive article(s) violated and its (their) specification(s). If applicable, describe how any other condition was violated.
- Note 2:** The date and time in item 1d must be a minimum of 3 duty days (including weekends and holidays if normally scheduled duty days for the member) from the date and time the member is notified in item 2.
- Note 3:** If the commander does not serve the member, then the commander directs a subordinate, senior in rank to the member, to notify and serve the member. The person serving the member, whether the commander or subordinate, signs and annotates the date and time of service.
- Note 4:** If applicable, see AFI 36-2907, *Unfavorable information File (UIF) Program*, for further guidance regarding UIF actions.
- Note 5:** A continuation page may be used if necessary. Identify the information by the item number.